6.0 PERMITS AND REGULATORY REQUIREMENTS

This section describes permits and regulations applicable to hazardous waste transport and ATG Facility operation. The proposed action is subject to Federal, State, and local permits and regulations governing the storage, treatment, handling, and transport of contact-handled LLMW.

6.1 FACILITY OPERATION

Table 6.1 lists the major permits and approvals required for ATG MWF operation and related permitting or approving agencies. The ATG MWF also must comply with WSHWMA, Hanford Site Solid Waste Acceptance Criteria, NRC, and other Federal, State, and local regulations.

Table 6.1. Major Permits and Approvals Required for ATG Mixed Waste Facility Operation

Permit Permitting Agency	
RCRA Part B Permit	Washington State Department of Ecology
Radiological Air Permit (NESHAP)	Washington State Department of Health
Radiological Permit Update	Washington State Department of Health

Source: RCRA Part B Application.

6.1.1 Resource Conservation and Recovery Act

RCRA required the EPA to establish regulations governing the handling of hazardous wastes. These regulations are set forth in EPA Administered Permit Programs. The Hazardous Waste Permit Program (40 CFR 270) sets standards for generators and transporters of hazardous wastes, including owners and operators of treatment, storage, and disposal facilities (TSDF). The general permit requirements for all TSDF are described in Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (40 CFR 264). RCRA regulations also require ATG to obtain an operating permit for the MWF from the appropriate state regulatory agency, which is Ecology.

ATG has submitted a Part B Permit application to Ecology for the MWF and is expected to be permitted as a miscellaneous treatment unit under Washington Administrative Code 173-303-680, Miscellaneous Units.

The Part B permit application for the ATG MWF contains detailed information on the facility description and site specific information, such as facility inspection schedules (40 CFR 270). The application outlines and details the general requirements necessary to demonstrate compliance with 40 CFR 264 standards, including emission controls.

6.1.2 Radiological License

ATG would obtain a new radioactive materials license for the MWF operations through the Washington State Department of Health.

6.1.3 Air Permits

The Clean Air Act and State of Washington Clean Air Act regulations require many types of industrial facilities to obtain air quality permits prior to construction or operation. State and Federal requirements generally are addressed through integrated permit regulations established by State or local air pollution control agencies. Air quality permits for facilities in Benton, Franklin, or Walla Walla Counties are processed by the Benton, Franklin, Walla Walla Air Pollution Control Authority. Federal aspects of such permits include prevention of significant deterioration requirements for attainment areas, new source review requirements for nonattainment areas, and NESHAP requirements. Federal Title V operating permit requirements also might apply if the MWF causes emissions from the overall ATG Site to exceed threshold quantities for either criteria pollutants or hazardous air pollutants. Compliance with State hazardous air pollutant ambient concentration limits also will be addressed as part of the air quality permit process.

For ATG, Ecology would regulate emissions of nonradioactive pollutants (WAC 173-480, WAC 173-460) while the Washington State Department of Health would regulate emissions of radioactive pollutants to the air under WAC 246-247. These regulations require that new sources of hazardous pollutants comply with requirements for measurement of emissions and best available control technologies for potential hazardous emissions to the environment.

Washington Ambient Air Quality Standards are equal to or more stringent than the National Ambient Air Quality Standards, and thus compliance with the Washington Ambient Air Quality Standards results in compliance with the National Ambient Air Quality Standards.

6.2 TRANSPORTATION

The loading and transport of hazardous waste will be governed by the applicable regulations, orders, and guidance of agencies such as DOE, Ecology, DOT, NRC, and EPA. These regulations, orders, and guidance cover shipping, packaging, vehicle safety, routing of shipments, and protection of workers. Regulations specific to hazardous waste transport include the following:

Washington State

WAC 173-303 State of Washington Administrative Code, “Dangerous Waste Regulations,” as amended (administered through Ecology).

Other

10 CFR 71	Packing and Transportation of Radiological Material
40 CFR 260	Hazardous Waste Management System: General
40 CFR 261	Identification and Listing of Hazardous Waste
40 CFR 262	Standards Applicable to Generators of Hazardous Waste
49 CFR 107	Hazardous Materials Program Procedures
49 CFR 263	Standards Applicable to Transporters of Hazardous Waste
49 USC 1801	Hazardous Materials Transportation Act

6.3 WORKER SAFETY

OSHA, RCRA, and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act, require RCRA TSDFs to take steps to prevent injury and illness, limit worker exposure to hazardous chemicals, limit worker exposures to radiation (10 CFR 20), develop emergency planning, and provide the community with information. ATG will be required to annually report on these required activities, including the reporting of hazardous chemicals quantities.

ATG would use a hazard communication program (29 CFR 1910.1200), train waste operation and emergency response personnel (29 CFR 1910.120), educate employees, and prevent, control, and minimize impacts resulting from hazardous chemical releases according to an SPCC plan (40 CFR 264.52). For the ATG GASVIT™ Building ATG would be required to maintain up-to-date copies of material safety data sheets and a master list of all hazardous chemicals associated with operations. The SPCC plan contained within the RCRA Part B permit application would include information on personal protective equipment (e.g., respirators, suits, gloves), engineering controls, and management procedures to minimize hazards to personnel and the environment. Laboratory personnel would be protected by conformance with the regulatory requirements of 29 CFR 1910.1450.